

Message Text

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PAGE 01 OSLO 05696 211139Z
ACTION L-03

INFO OCT-01 EUR-12 ISO-00 /016 W
-----114796 211352Z /43
R 211032Z DEC 77
FM AMEMBASSY OSLO
TO SECSTATE WASHDC 4952

UNCLAS OSLO 5696

E.O. 11652: N/A
TAGS: PDIP
SUBJECT: NORWEGIAN PENAL CODE

REF: STATE 300300

FOLLOWING ARE THE TRANSLATION AND TEXT OF THE NORWEGIAN PENAL CODE,
SECTIONS 275 AND 276, AND THE MARKETING CONTROL ACT NO. 47.

AS CAN BE SEEN, THE FIRST TWO SECTIONS DO NOT HAVE THE SAME MEANING
AS THE "COMMERCIAL BRIBERY" STATUTE IN THE NEW YORK PENAL
CODE. HOWEVER, IT APPEARS THE MARKETING CONTROL ACT NO. 47 OF
JUNE 16, 1972 IS SIMILAR.

NORWEGIAN PENAL CODE OF MAY 22, 1902
NO. 10, SECTION 275:

ANYONE WHO NEGLECTS ANOTHER'S AFFAIRS WHICH HE MANAGES OR
SUPERVISES OR OTHERWISE ACTS AGAINST THE INTERESTS OF SAID
PERSON WITH THE INTENT OF OBTAINING AN UNLAWFUL GAIN FOR HIMSELF
OR ANOTHER, SHALL BE PUNISHED FOR BREACH OF CONFIDENCE.

THE PUNISHMENT FOR BREACH OF CONFIDENCE SHALL BE IMPRISONMENT
UP TO 3 YEARS. FINES MAY BE IMPOSED TOGETHER WITH IMPRISONMENT.
COMPLICITY SHALL BE PUNISHED IN THE SAME WAY. UNDER EXTREMELY
EXTENUATING CIRCUMSTANCES, FINES ALONE MAY BE IMPOSED.

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FOR UTROSKAP STRAFFES DEN SOM I HENSIKT A SKAFFE SEG ELLER ANDRE
EN UBERETTIGET VINNING ELLER A SKADE, FOSOMMER EN ANNENS AN-
LIGGENDER SOM HAN STYRER ELLER HAR TILSYN MED, ELLER HANDLER MOT
DEN ANNENS TARV.

STRAFFEN FOR UTROSKAP ER FENGSEL INNTIL 3 AR. BOTER KAN
ANVENDES SAMMEN MED FENGSELSSTRAFFEN. MEDVIRKNING STRAFFES PA

SAMME MATE. UNDER SAERDELES FORMILDENDE OMSTENDIGHETER KAN BOTER ANVENDES ALENE.

SECTION 276

THE PUNISHMENT FOR GROSS BREACH OF CONFIDENCE SHALL BE IMPRISONMENT UP TO 6 YEARS. FINES MAY BE IMPOSED TOGETHER WITH IMPRISONMENT. COMPLICITY SHALL BE PUNISHED IN THE SAME WAY. IN DECIDING WHETHER THE BREACH OF CONFIDENCE WAS GROSS, EMPHASIS SHALL BE PLACED ON WHETHER THE ACT HAS CAUSED CONSIDERABLE ECONOMIC INJURY, WHETHER IT IS COMMITTED BY A CIVIL SERVANT OR SOMEONE IN DISREGARD OF THE SPECIAL CONFIDENCE ENTRUSTED IN HIM IN HIS POSITION OR ACTIVITY, WHETHER THE OFFENDER HAS KEPT INCORRECT ACCOUNTS OR BOOKS, OR HAS DESTROYED, DAMAGED OR CONCEALED ACCOUNTS, BOOKS OR OTHER DOCUMENTS, AND WHETHER HE HAS KNOWINGLY CAUSED MATERIAL LOSS OR DANGER FOR ANOTHER'S LIFE OR HEALTH.

GROV UTROSKAP STRAFFES MED FENGSEL INNTIL 6 AR. BOTER KAN ANVENDES SAMMEN MED FENGSLSSTRAFFEN. MEDVIRKNING STRAFFES PA SAMME MATE.

VED AVGJORELSEN AV OM UTROSKAP ER GROV SKAL DET LEGGES SAERLIG VEKT PA OM HANDLINGEN HAR VOLDT BETYDELIG OKONOMISK SKADE, OM DEN ER FOROVD AV OFFENTLIG TJENESTEMANN ELLER NOEN ANNEN VED BRUDD PA DEN SAERLIGE TILLIT SOM FOLGER MED HANS STILLING ELLER VIRKSOM-
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HET, OM DEN SKYLDIGE HAR FORT URIKTIGE REGNSKAPER ELLER BOKER, TILINTETGJORT, UBRUKBARGJORT ELLER SKJULT REGNSKAPER, BOKER ELLER ANDRE DOKUMENTER ELLER OM HAN VITENDE HAR VOLDT VELFERDSTAP ELLER FARE FOR NOENS LIV ELLER HELBRED.

THE MARKETING CONTRL ACT OF JUNE 16, 1972
NO. 47, SECTION 6:

IT IS PROHIBITED IN THE CONDUCT OF BUSINESS TO OFFER OR PRESENT ANY GIFT OR SIMILAR BENEFIT TO SOMEONE EMPLOYED BY OR ACTING FOR ANOTHER, WHEN THIS IS DONE WITHOUT THE KNOWLEDGE OF THE LATTER, AND THE GIFT OR BENEFIT IS INTENDED TO AND LIKELY TO MISLEAD THE RECIPIENT IN THE PERFORMANCE OF HIS DUTIES OR IN HIS POSITION OF TRUST OR SERVICE TO GRANT THE DONOR OR ANOTHER AN UNJUSTIFIED FAVOR. THIS PROHIBITION SHALL APPLY SIMILARLY TO ANY GIFT OR SIMILAR BENEFIT WHICH IS GIVEN AFTER THE UNFAITHFUL ACT, IF THE GIFT OR BENEFIT MUST BE REGARDED AN UNREASONABLE REWARD.

DET ER FORBUDT I NAERINGSVIRKSOMHET A BY ELLER GI GAVE ELLER LIGNENDE FORDEL TIL NOEN SOM ER ANSATT HOS ELLER OPPTRER PA VEGNE AV EN ANNEN, NAAR DET SKJER UTEN AT DENNE SISTE VET OM DET, OG GAVEN ELLER FORDELEN ER BESTEMT TIL OG EGNET TIL

A FORLEDE MOTTAKEREN TIL I TJENESTE-, TILLITS- ELLER OPPDRAGS-
FORHOLDET A GI GIVERN ELLER NOEN ANNEN EN UGRUNNET FORDEL.

SECTION 17

ANYONE WHO INTENTIONALLY VIOLATES SECTIONS 2-9 OF THIS ACT
OR DECISIONS MADE PURSUANT TO THIS ACT OR IS AN ACCOMPLICE THERE-
TO, SHALL BE PUNISHALBE BY FINES OR IMPRISONMENT UP TO 3 MONTHS.

DEN SOM FORSETTLIG OVERTRER PARAGRAFENE 2-9 I DENNE LOV ELLER
VEDTAK SOM ER GJORT I MEDHOLD AV DENNE LOV ELLER SOM MEDVIRKER
HERTIL, STRAFFES MED BOTER ELLER FENGSEL INNTIL 3 MANEDER.
LERNER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, CORRUPTION, BRIBERY
Control Number: n/a
Copy: SINGLE
Sent Date: 21-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770475-1134
Format: TEL
From: OSLO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771231/aaaabaeq.tel
Line Count: 128
Litigation Code IDs:
Litigation Codes:
Litigation History:
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Message ID: 7c2816ff-c188-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Reference: 77 STATE 300300
Retention: 0
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Review Content Flags:
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Review Event:
Review Exemptions: n/a
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Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 159220
Secure: OPEN
Status: NATIVE
Subject: NORWEGIAN PENAL CODE
TAGS: PDIP, NO
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/7c2816ff-c188-dd11-92da-001cc4696bcc
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